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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION THREE

MARCIA SALAZAR ULLOA,

Plaintiff and Respondent,

v.

MARICELA GONZALEZ,

Defendant and Appellant.

B287603

Los Angeles County

Super. Ct. No.

17IWRO00753

APPEAL from an order of the Superior Court of Los Angeles County, Patricia J. Titus, Judge. Affirmed.

Maricela Gonzalez, in pro. per.; Law Office of Corey Evan Parker and Corey Evan Parker for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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## **INTRODUCTION**

Marcia Salazar Ulloa (Ulloa) obtained a civil harassment restraining order against Maricela Gonzalez (Gonzalez), protecting Ulloa and her daughter, Gyleimie Sobalvarro (Gyleimie). Gonzalez appeals, contending she did not harass Ulloa or Gyleimie. Gonzalez also contends the trial court erred by not considering texts written in Spanish that confirm Gonzalez was the victim of harassment by Ulloa and Gyleimie. We affirm.

## **FACTS AND PROCEDURAL BACKGROUND**

Ulloa and Roberto Sobalvarro (Roberto) have been divorced for many years. Their adult daughter, Gyleimie, lives with Roberto and Gonzalez. Roberto and Gonzalez were engaged to be married and are the parents of a young daughter.

In early November 2017, Ulloa filed a petition for civil harassment restraining orders against Gonzalez under Code of Civil Procedure<sup>1</sup> section 527.6. The petition sought protection for Ulloa and Gyleimie because Gonzalez harassed them by sending them, and others, derogatory messages about Ulloa from fake Facebook accounts. For example, Ulloa alleged Gonzalez threatened to tell “everyone that [Ulloa] cheat[ed] on [Ulloa’s] fiancé.” Ulloa also alleged Gonzalez is obsessed with Ulloa and does not leave her alone.

On November 28, 2017, the court held a hearing on the petition. The court took testimony from Ulloa and Gonzalez, who were self-represented. Ulloa testified that Gonzalez accused Gyleimie of being jealous of Gonzalez and being in love with

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<sup>1</sup> All undesignated statutory references are to the Code of Civil Procedure.

Roberto, Ulloa's ex-husband and Gyleimie's father. According to Ulloa, Gonzalez kept sending Ulloa Facebook messages threatening to tell Ulloa's fiancé that Ulloa was cheating on him with Roberto. Whenever Ulloa tried to block Gonzalez's messages, Gonzalez would create new fake Facebook accounts and send messages from those accounts.

For her part, Gonzalez testified she was harassed by Ulloa and Gyleimie. For example, Gyleimie left Ulloa's jacket behind a bedroom door in Gonzalez's home to give Gonzalez the impression that Roberto was having an affair with Ulloa. When Gonzalez discovered that the jacket belonged to Ulloa, Gonzalez was so upset she ended up in the hospital. Gonzalez also accused Ulloa of threatening to have "D.C.F.S." take Gonzalez's "bastard child away," and implied Ulloa's relatives were responsible for leaving a dead rat in Gonzalez's car.

After Gonzalez showed the court various messages exchanged by Ulloa and Gonzalez, the court stated "it appears that they're both cussing each other out." Gonzales responded: "That's exactly my point, that I'm not the kind of person that throws a stone and hides the hand. I admit it; we exchanged [messages]." Gonzalez also admitted she "did say angry words out of emotions, angry, that [Ulloa] doesn't leave [Gonzalez] alone." At Ulloa's request, the court reviewed Facebook messages on Ulloa's phone that were sent by Gonzalez. Towards the end of the hearing, Gonzalez stated "[i]f you were to get a Spanish translator to translate all these documents of all [Ulloa's] messages and mine, it would show [Ulloa's] lying under penalty of perjury."

After the hearing, the court issued a three-year civil harassment restraining order against Gonzalez protecting Ulloa and Gyleimie from harassment and any other contact by Gonzalez. This appeal followed.

## DISCUSSION

Section 527.6 was enacted “ ‘to protect the individual’s right to pursue safety, happiness and privacy as guaranteed by the California Constitution.’ [Citations.] It does so by providing expedited injunctive relief to victims of harassment. [Citation.]” (*Brekke v. Wills* (2005) 125 Cal.App.4th 1400, 1412.) A person who has suffered harassment may seek an order after hearing prohibiting harassment as provided in section 527.6. (§ 527.6, subd. (a)(1).) “Harassment” is defined as “a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose.” (*Id.*, subd. (b)(3).) The trial court may issue an injunction under section 527.6 on “clear and convincing evidence that unlawful harassment exists[.]” (*Id.*, subd. (i).)

On appeal of the grant of a section 527.6 restraining order, “[w]e review issuance of [the] protective order for abuse of discretion, and the factual findings necessary to support the protective order ... for substantial evidence.” (*Parisi v. Mazzaferro* (2016) 5 Cal.App.5th 1219, 1226.) “We resolve all conflicts in the evidence in favor of respondent, the prevailing party, and indulge all legitimate and reasonable inferences in favor of upholding the trial court’s findings.” (*Bookout v. Nielsen* (2007) 155 Cal.App.4th 1131, 1137–1138.) “Whether the facts are legally sufficient to constitute civil harassment within the meaning of section 527.6 is a question of law reviewed de novo.” (*Parisi*, at p. 1226.)

Gonzalez contends the court erred in granting the restraining order because Gonzalez “had an absolute right to defend herself and write to [Ulloa and Gyleimie] to [have them] stop harassing [Gonzalez] and leave her alone.” Gonzalez also contends her written communications did not constitute civil harassment under section 527.6. Gonzalez, however, has not provided us with any of the texts or Facebook messages that were reviewed by the court before it issued the challenged order. Without a record of the evidence presented to the court at the hearing, we must affirm the order. (See *Weiss v. Brentwood Sav. & Loan Assn.* (1970) 4 Cal.App.3d 738, 746 [when an appellant claims error occurred in the trial court, he must present a record disclosing the error relied upon and enabling an appellate court to review and correct it]; *Estate of Fain* (1999) 75 Cal.App.4th 973, 992 [appellant may not contest the sufficiency of the evidence with respect to a factual issue where appellant fails to provide an adequate record]; *Maria P. v. Riles* (1987) 43 Cal.3d 1281, 1295–1296 [failure to provide an adequate record on appeal requires that the issue be resolved against appellant].)

Finally, Gonzalez contends she was denied due process and a fair hearing because the court improperly excluded Spanish-language texts proving that Ulloa was the harasser. We disagree. First, the court did not exclude this evidence. In fact, the court expressly stated the parties could testify about the Spanish-language messages exchanged by them. Second, Gonzalez does not provide any legal citations for the proposition that a trial court is obligated to translate evidence submitted to it in a language other than English. We therefore pass it without further discussion. (See *Keyes v. Bowen* (2010) 189 Cal.App.4th 647, 655 [“[T]he trial court’s judgment is presumed to be correct,

and the appellant has the burden to prove otherwise by presenting legal authority on each point made and factual analysis, supported by appropriate citations to the material facts in the record; otherwise, the argument may be deemed forfeited.”].)

### **DISPOSITION**

The order is affirmed. No costs are awarded on appeal.

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LAVIN, Acting P. J.

WE CONCUR:

EGERTON, J.

DHANIDINA, J.